

## **REMARKS**

### I. Introduction

Claims 1-38 are pending in the above application.

Claims 1-38 stand rejected under 35 U.S.C. § 103

Claims 1, 25 and 38 are independent claims.

### II. Prior Art Rejections

Claims 1, 2, 4-12, 14, 15, 20-35 and 38 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kobayashi (U.S. Pub. 2001/0004361).

Claims 16-19 and 36-37 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kobayashi in view of Moon (U.S. Pat. 5,904,038).

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fulton*, 391 F.3d 1195, 1199-02 (Fed. Cir. 2004). *Ecolochem Inc. v. Southern California Edison Co.*, 227 F.3rd 1361, 56 U.S.P.Q.2d (BNA) 1065 (Fed. Cir. 2000); *In re Kotzab*, 217 F.3d 1365, 1369 (Fed. Cir. 2000); *In re Dembicza*, 175 F.3d 994, 999, 50 U.S.P.Q.2D (BNA) 1614, 1617 (Fed. Cir. 1999); *In re Jones*, 958 F.2d 347, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992); and *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). See also MPEP 2143.01, 2143.03 (“To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art”) (citations omitted).

As explained in Applicant's prior response filed on March 24, 2006, incorporated herein, neither Kobayashi nor Moon, taken alone or in combination, disclose or suggest connecting a plurality of devices which have a common telephone number and which are connected to a network, by: looking up the telephone number in a table that associates the telephone number with a plurality of devices having unique addresses; establishing a connection with a first one of said devices; establishing a bridge between the first device and a second device, the second device having a different address than the first device and a common telephone number with the first device, as substantially required by claims 1, 25 and 38.

In short, Kobayashi does not disclose a plurality of devices which have the same telephone number and different addresses. In fact, Kobayashi clearly states that the phones on its disclosed system have different telephone numbers, not the same telephone number. Kobayashi clearly states "the control circuit 110 associates the private IP address allocated to the telephone 200 with the ID, extension telephone number and user name." Kobayashi, ¶[0027]. Figure 2 of Kobayashi also clearly illustrates different extension numbers for devices 1 and 2.

The Examiner's response to Applicant's explanation provided on page 7 of the Final Office action is appreciated, but not fully understood. In the response, the Examiner acknowledges that "the controller 100 look up the unique address using one of three methods disclosed in paragraph 0041 including using an extension telephone number", which appears to acknowledge that different telephone numbers are used for the different devices. Final Office action, pg. 7. The Final Office action also states "Kobayashi, however, discloses assigning extension telephone number i.e. 100, 101 to each of the telephones (see figures 1 and 2)." Final Office action, pg. 3. However, the Examiner goes on to assert "[T]he examiner agrees that Kobayashi fails to explicitly disclose or is [sic] silent on the plurality of device i.e. phones 200,

201, have a common telephone number[. For that reason, the examiner made the claims rejection under 35 U.S.C. 103(a).” Final Office action, pg. 7. However, as explained in Applicant’s prior response, and apparently acknowledged by the Examiner, Kobayashi is not silent on whether the phones 200 and 201 have the same phone number, they have different extension numbers as part of their phone number.

It appears that the rejection is based on a belief by the Examiner that phones with extension numbers have a “common telephone number”. There is no evidence on the record to support such contention. In fact, the Final Office action does not provide evidence to support the contention in the Office action that “telephones with extension phone numbers have a common phone number to initiate communication therewith,” as seasonably requested by Applicant, as required by MPEP § 2144.03. Moreover, the use of different extension numbers in a LAN clearly assigns a different telephone number to a device which enables such device to participate in communications independent of another device with another extension number. Accordingly, as the Final Office action does not provide support for the allegation of alleged “well known” subject matter, the rejection should be withdrawn.

As explained in Applicant’s prior response, previously incorporated, Kobayashi also does not establish a bridge between a first device and a second device. To the extent that the Examiner’s direction to paragraph 0040 of Kobayashi is intended to respond to this failure of Kobayashi, at best, paragraph 0040 merely uses conventional techniques of simply calling the second number of the second device, i.e. the extension number of the second device.

Finally, as also explained in Applicant’s previous response, Moon also does not disclose or suggest connecting a plurality of devices which have a common telephone number by

establishing a bridge between the first device and a second device, the second device having a different address than the first device and a common telephone number with the first device.

Hence, as neither Kobayashi nor Moon, disclose or suggest all of the limitations of any of independent claims 1, 25 or 38, the combination of Kobayashi and Moon does not render these claims unpatentable. Moreover, as claims 2-24 and claims 26-37 depend on claims 1 and 25, respectively, and incorporate all of the limitations thereof, respectively, the combination of Kobayashi and Moon also does not render these claims unpatentable.

### III. Conclusion

Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Respectfully submitted,

By: /Lawrence T. Cullen/  
Lawrence T. Cullen  
Reg. No.: 44,489

Motorola Connected Home Solutions  
101 Tournament Drive  
Horsham, PA 19044  
(215) 323-1797